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UNITED STATES OF AMERICA.

Johnson, Alexander Bryan, 1786-1867

WHERE WE STOOD

AND

WHERE WE STAND.

BY THE AUTHOR OF

"THE UNION AS IT WAS AND THE CONSTITUTION AS IT IS."

WHERE WE STOOD AND WHERE WE STAND.

Four thousand years ago, "Ishmaelites came from Gilead with their camels, bearing spicery, balm and myrrh, going to carry it down to Egypt;" and doubtless to carry back the productions of Egypt. God has diversified the earth with different climates, each yielding peculiar fruits, whose interchange, as in the above example, renders man every where useful to all his fellows, and encourages mutual dependence. Every climate occasions, also, institutions and habits congenial to its inhabitants, but uncongenial usually to men of other climes, whereby, probably, God designed to promote harmony among the inhabitants of each locality, and to prevent conflicts between different localities. A union under one government of great climatic diversities is, therefore, a device of man, not of God. History is but a record of wars to forcibly consolidate under one government climatic diversities, or to forcibly separate climatic diversities from such consolidations; and the eventual disruption of all great empires so constituted, attests that climatic diversities must ever ultimately become disunited.

But what God has thus separated for man's good, our American Confederacy joined together by the Constitution of 1787, whereby the North and the South were united under one government—a new marriage, not of "January and May," but of January

and August. The new union was peculiar by its voluntary formation: thirteen different families consenting to live in one house, and for the singular purpose of "insuring domestic tranquillity," despite the proverb that no two families can live together peacefully. But each of our thirteen families was to mind only its own affairs, and especially not to intermeddle with the domestic arrangements of any other family. What more could be needed in "Hail Columbia happy land," by "a band of brothers joined, who peace and safety hoped to find." Had some prophet whispered what would occur in these latter days, every member of the Convention would have answered, "Is thy servant a dog that he should do this great thing?" Have we not proclaimed, "that to secure life, liberty, and the pursuit of happiness governments are instituted, deriving their just power from the consent of the governed; and that when any form of government becomes destructive of these ends, it is the people's right to alter or abolish it, and to institute a new government, founding it on such principles, and organizing its powers in such form as shall seem most likely to effect their safety and happiness?"—and the prophet of evil would have been hissed as a lying spirit.

Nothing could be better than the objects of the new Confederacy, and nothing could be wiser than the Constitution by which the objects were to be attained; but was human nature good enough for the proposed government, and wise enough for its requirements? Nobody asked the question, and had it been asked, an affirmative would have been indignantly responded: all men hating injustice when no selfish motive thereto is present; yet, alas! no saint can foresee the sinner he

may become under the promptings of self-interest, as no man can foresee what a coward he may become when he is brought to face danger. Of another difficulty the Convention seem to have been unaware: they labored to limit the new government's authority, supposing its limitations could be accomplished by apt phrases, but forgetting that language is interpreted by the readers thereof, who are as changeful as time and as different as individuals. "Whoso sheddeth man's blood, by man shall his blood be shed," was deemed an explicit and divine sanction for capital punishment no longer than man favored the punishment. Indeed, the numerous Christian sects who derive their conflicting creeds from the same oracles, demonstrate thereby the impracticability of limiting by words the meaning of words; hence, before John Adams, the second President of the Confederacy, was well seated in his office, politicians had subsided into the two opposite parties that, under various names, have continually agitated the country; one construing the Constitution so as to subordinate all climatic diversities to the control of a Congressional majority, and the other party seeking to preserve each State's peculiarities from Congressional power. The struggle for supremacy of these two parties, constitutes nearly all our civil history—the struggle being perpetuated, and also demoralized, by its constituting a game of chance to win political power and pecuniary rewards; and in which game all citizens participate—the lowest as "egg men," who on election days swarm our polls to sell their votes to the best bidder, and the highest as leaders, who sell themselves, becoming anti-masons, anti-renters, anti-slavery, anti-catholics, anti-foreigners—"everything by turns,

and nothing long." For as a stage manager brings forward the most attractive novelties, our politicians support the opinions that will catch the most voters, irrespective of right or wrong, truth or falsity, consistency or inconsistency.

When our Union was formed, the numerical strength of its two climatic sections was pretty evenly divided, but the North gradually waxed stronger than the South, so that the contest would soon have been decided adversely to the South, had the South not been aided by Northern allies, who advocated the Southern construction of the Constitution; though recent events disclose that these Northern allies regarded only the power and patronage they acquired by aiding the South, and "*point d'argent, point de Suisse.*" The climatic peculiarities of the South included chiefly domestic slavery, as essential to the culture of cotton, rice, sugar, and tobacco; but being thus an agricultural people, the South desired the smallest practicable tariff on foreign importations. In 1836, when Congress distributed ratably to all the States some thirty millions of dollars that were surplus in the Federal treasury, the South opposed the distribution as creating a new motive for high import duties. From like motives, they opposed Congressional expenditures for roads and harbors, desiring, in the words of a Southern President, (Gen. Jackson,) to make the general government a machine of the simplest kind, and leaving local improvements to the States respectively. John Quincy Adams, who was at the time a Congressional Representative, ridiculed this restriction of the government; and when previously he was President, he advocated the Northern views of

the Union, saying, "that while foreign nations, less blessed than ourselves with freedom, which is power, are advancing with gigantic strides in the career of public improvements, were we to slumber in ignorance or fold our arms, proclaiming to the world that we are palsied by the will of our constituents, (the Constitution,) would it not be to cast away the bounties of Providence, and doom ourselves to perpetual inferiority?" But the time had not arrived for a revolution of our government from its original limited authority, and Mr. Adams, for his heresies therein, was displaced at the next Presidential election.

Thus, with varying alternations, waged the conflict of constitutional limitation for more than half a century, when the admission of California into the Union as a free State, enabled a controlling New York Senator to declare in his place that "the battle had been fought and won," California giving to the North a majority in the Senate, as it already had in the House of Representatives. Nor was the term "battle fought and won," a mere figure of speech; though few knew so well as the eminent Senator all the consequences of which it was to be the forerunner, and for the consummation of which he had labored so unremittingly, believing, as we may charitably suppose, that he could rule the storm as adroitly as he had raised the whirlwind. From his eloquence, and from clerical and lay partisan assistance, the Federal government, as originally limited, and to which limitation the South persistently clung, had become hateful to the North. It required them to deliver back to bondage fugitive slaves, and this, though admittedly constitutional, was stigmatized as a "covenant with death and an agree-

ment with hell." In short, the North was tired of the Confederacy, and desired a national government as ardently as the Jews wanted a king. They desired an unlimited government, like that of other people, and that the States should thereto be as subordinate in all things as counties are to a State; and these tenets, which the South abhorred as heresies, the North insisted were only a return of the government to the intention of its founders; and both parties appealed with confidence and equal honesty to the Constitution. Such being the temper and theory of the North, nothing remained to effectuate its advocated revolution but the election of a Northern President by Northern votes alone, and in disregard of the South; and President Lincoln was so elected on the 4th of March, 1861.

The revolution thus accomplished was exempt from physical violence, and hence the revolutionary character of the election was not obvious; but no revolution could be more complete in its avowed ultimate consequences. The South still retained, with the aid of Northern allies, a nominal majority in Congress for the proximate session, and with which aid aggressions against Southern peculiarities might have been measurably restrained; but the South knew these securities to be unreliable while all governmental patronage was against them, and they despaired of any future improvement. No alternative, therefore, seemed practicable to the South, but to submit all its climatic peculiarities to the control of Congress, or to secede from the Union. The latter alternative eleven States adopted, recalled their Senators and Representatives

from Congress, and organized a Confederacy by themselves.

Had the South been permitted to depart as was recommended by a military chieftain, "wayward sisters depart in peace," both sections would have become prosperous, contented and happy nations; each fostering its own climatic peculiarities, and not clogged, as heretofore, by adverse interests. Each section was, also. large enough for any increase of population that time could supply; and with such increase, intersectional commerce would have augmentedly benefited both sections, as Great Britain realized after the American colonies became independent of her. But the North, enriched by Southern intercourse, could ill brook to lose, even by its own intolerance, the goose that laid the golden eggs. Indeed, that the loss should result from such a cause inveterated the pending evil, no reproach being so poignant as self-accusation; and as blessings brighten as they take their flight, the North exaggerated its personal loss, by claiming that secession involved "the nation's life, liberties, constitution, and government;" though truly it involved nothing but a diminished territory. England's wisest living writer, commenting on like exaggerations in the French revolution, says: "When thou findest a lie that is oppressing thee, extinguish it. Lies exist only to be extinguished; they wait and cry earnestly to be extinguished." But our lie could not be extinguished without extinguishing with it all virtuous apology for war against the South. The North accordingly resolved that the wayward sisters, who claimed only to be left alone, must "to save the nation's life, liberties, consti-

tution, and government," be retained at any cost of principles, blood, and treasure.

Thus commenced a second revolution of our government. The first revolution gave every Congressional majority unlimited powers, and the second converted our voluntary Union into an involuntary one; the two families that consented to live in one house, "to insure domestic tranquillity," are to be forcibly retained therein, though it insure domestic war. The South, with its eight or nine millions black and white people, had often threatened secession; but the North, with its twenty-three millions of free inhabitants, with its established government, boundless wealth, credit, naval and military resources, regarded the threat of the South as the bark of a small dog too impotent to bite. Even in 1861, a New York Senator laughed in his place when a Georgian Senator talked of secession, and a listening gallery echoed the laugh. That the South would be massacred by its slaves, if Northern assistance were not guaranteed by the Constitution, was a Northern belief; and hence that the South could not be kicked out of the Union, was a tenet acted on as well as believed. No wonder, therefore, after the actual secession of several States, our government pursued its accustomed routine, like the old world of Noah, "marrying and giving in marriage," till the flood overwhelmed Sumpter, when it collected 75,000 three months volunteers, which we all thought excessive; and which rushed to the fray as boys to a squirrel hunt, and expecting no smaller sport and not much greater danger.

Nor was the South aware of the task secession created. They saw in the Federal Constitution no

authority to coerce sovereign States, and vainly relied that no extra constitutional power would be exercised by a government that claimed to abide by the Constitution. They looked, also, like the fabled hare with many friends, to England and France, and especially to Northern Democrats, who had long inspirited the South to assert State rights against Northern encroachments; and who, as late as February, 1861, at a State Convention held at Albany, had wept in contemplation of threatened coercion of the South, and had uttered with applause, that the first blood to be shed in such a contest should flow at the North. Nothing, therefore, more surprised the South, after secession prevented alliance with them from yielding its accustomed advantages, to see Northern Democrats abandon the South, as a harlot abandons a bankrupt lover, and ply their vocation where thrift would better follow fawning, becoming generals of invading Northern armies and military governors of invaded Southern States; and, renegade-like, becoming the fiercest among the fierce, and the bloodiest among the bloody. Others of them, less inclined "to villainous saltpetre," sought political power by advocating a vigorous prosecution of the war; but, with the usual inconsistency of a false position, rejoicing at Northern defeats, and denouncing all measures promotive of success. "The Union as it was, (a Union of only good-will, as they insist,) they would restore by force; and "the Constitution as it is," (a Constitution which they declare is subverted,) they would preserve by aiding the subverters. Zealous, also, against infringements of personal rights at the North, they seem unaware that the coercions they sanction against the South, are equally authoritative

against the liberties of the North. But they complain to only deaf ears; our people understanding better than formerly the tricks of the "outs" to become "ins," and valuing less than heretofore the privilege of deciding which of two sets of unknown candidates shall enjoy the spoils of office.

We commenced our civil war with the question: Have we a government? and this question at least has been decided by the war, though people may differ as to whether the positive government is better than the doubtful one. For himself, the writer prefers King Stork to King Log. Our public affairs are now regulated by eminent functionaries, while under our former system affairs were regulated by majorities, who are the young, the ignorant, and the prejudiced, and, therefore, unfit to rule. If the pudding is to be tested by the eating, the proverb decides in favor of our new system, for while shorn of a third of our population, the power we evince appals all Europe, and no people are more surprised thereat than ourselves; but without our knowing that its origin is the change of our government from a hesitating power to one that devises prompt means to suit any desired end, regardless of what the means may be. And all effected by a new reading of the Constitution, so as to favor extension of powers instead of limitation. The war power alone is found to contain exhaustless resources for any emergency—official proclamations being able to supply all legislative omissions; and summary arrest and deportation being able to subordinate to loyalty all telegraphic operators, all newspaper editors, public orators, private slanderers, and unfriendly critics; so that for the first time we are unanimous in

the prosecution of a war, though the present is less adapted than any other to promote unanimity.

Finally, the Constitution of 1787 was an attempt to erect a house in which thirteen different families could live together in unity. The experiment failed from no defect in its organization, but from a defect in human nature. We are now trying an amended experiment, and as we could not make the different families leave unassailed the peculiarities of each other, we are trying to destroy all peculiarities, to make the families homogeneous. But the remedy to be permanent must be still more thorough. While the household continues of distinctly different families, they will find occasions of disagreement, and the only perfect remedy is to consolidate all families into one. The change may be distasteful to many persons, and some of us may weep at the dissipation of early political dreams; while others, more philosophical, may settle down into the poet's contented conclusion:

> "For forms of government let fools contest,
> That which is best administered is best."

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